

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

SIERRA CLUB,

Plaintiff-Intervenor,

v.

AMEREN MISSOURI,

Defendant.

Civil Action No. 4:11-cv-00077-RWS

**AMEREN'S OCTOBER 29, 2020 STATUS REPORT REGARDING
ITS COMPLIANCE WITH THE COURT'S STAY ORDER**

In accordance with the parties' April 3, 2020 Joint Submission to the Court (ECF #1156), Ameren provides the following update regarding its compliance efforts with the Court's September 30, 2019 Order, as modified by the Court's October 22, 2019 Stay Order (ECF #1137) (the "Stay Order").

As described in Ameren's prior status reports (ECF #1157, #1159, #1160), and despite continuing work from home requirements due to COVID-19, Ameren has worked with Black & Veatch on the engineering required to support Ameren's permit application for Rush Island. Review and update of the Design Basis for the FGD was completed in July. Several specific tasks related to Preliminary Engineering work have been completed or are currently in progress. The fan capacity draft study and stack study reviews are both complete, as is the process and FGD mass

balance review and update. The balance of plant, constructability assessment, and an update of the overall site plan are very near completion. Work on the review of the major equipment and their electrical loads, and the auxiliary electrical system and one-line diagram have started. Ameren is expecting to complete this Preliminary Engineering phase in early November. In addition, review and edits to the Labadie DSI test plan document are substantially complete.

Ameren has diligently advanced its appeal of this Court's Judgment. On May 21, 2020, the parties completed briefing on Ameren's appeal. The parties are awaiting an oral argument date from the Eighth Circuit.

Considering the progress to date, Ameren has done all it can do to advance the Preliminary Engineering for the Rush Island FGD and the Labadie DSI test plan. Further work would require Ameren to incur significant unrecoverable costs, costs the Court ruled Ameren need not incur while the appeal is pending. (ECF #1137 at 2-4.)

In light of the foregoing, Ameren would have little additional information to provide through further status reports. Ameren requests that the Court relieve it of its obligation to provide status reports every 60 days. If the Court still wishes to receive periodic updates, Ameren respectfully suggests a six-month interval between reports.

Dated: October 29, 2020

Respectfully submitted,

/s/ Matthew B. Mock

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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2020, I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will cause an electronic copy to be served on all counsel of record.

/s/ Matthew B. Mock
Matthew B. Mock